

Fill in this information to identify the case:

United States Bankruptcy Court for the:

**District of Montana**

Case number (if known): \_\_\_\_\_ Chapter **11**

☐ Check if this is an amended filing

## Official Form 201

# Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/24

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

**1. Debtor's name**

**KC TRANSPORT, LLC**

**2. All other names debtor used in the last 8 years**

Include any assumed names, trade names, and *doing business as names*

**3. Debtor's federal Employer Identification Number (EIN)**

\_\_\_\_\_

**4. Debtor's address**

**Principal place of business**

**C/O KENNETH COLE WIRTH**

**35212 COUNTY ROAD 127**

Number Street

**SIDNEY, MT 59270**

City State ZIP Code

**RICHLAND**

County

**Mailing address, if different from principal place of business**

Number Street

City State ZIP Code

**Location of principal assets, if different from principal place of business**

Number Street

City State ZIP Code

**5. Debtor's website (URL)**

**6. Type of debtor**

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
- ☐ Partnership (excluding LLP)
- ☐ Other. Specify: \_\_\_\_\_

Name \_\_\_\_\_

**7. Describe debtor's business****A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

**B. Check all that apply:**

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

**C. NAICS** (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

\_\_\_\_\_

**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. **Check all that apply:**
- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725 (amount subject to adjustment on 4/01/25 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No

☐ Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

If more than 2 cases, attach a separate list.

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**☒ No

☐ Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_  
Case number, if known \_\_\_\_\_  
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor KC TRANSPORT, LLC  
Name

Case number (if known) \_\_\_\_\_

**11. Why is the case filed in *this* district?**

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention?** (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard?  
\_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

**Where is the property?** \_\_\_\_\_

Number Street

City

State

ZIP Code

**Is the property insured?**

☐ No

☐ Yes. Insurance agency \_\_\_\_\_  
Contact name \_\_\_\_\_  
Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds?**

Check one:

- ☐ Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

☒ 1-49 ☐ 50-99 ☐ 1,000-5,000 ☐ 5,001-10,000 ☐ 25,001-50,000 ☐ 50,000-100,000  
☐ 100-199 ☐ 200-999 ☐ 10,001-25,000 ☐ More than 100,000

**15. Estimated assets**

☐ \$0-\$50,000 ☒ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion  
☐ \$50,001-\$100,000 ☐ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion  
☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion  
☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Debtor KC TRANSPORT, LLC  
Name

Case number (if known) \_\_\_\_\_

**16. Estimated liabilities**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000          | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000    | <input type="checkbox"/> \$10,000,001-\$50 million           | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000   | <input type="checkbox"/> \$50,000,001-\$100 million          | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million         | <input type="checkbox"/> More than \$50 billion        |

**Request for Relief, Declaration, and Signatures**

**WARNING --**

Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/24/2025  
MM/ DD/ YYYY

**X** /S/ KENNETH COLE WIRTH  
Signature of authorized representative of debtor

KENNETH COLE WIRTH  
Printed name

Title \_\_\_\_\_

**18. Signature of attorney**

**X** /S/ JAMES A. PATTEN  
Signature of attorney for debtor

Date 01/24/2025  
MM/ DD/ YYYY

JAMES A. PATTEN  
Printed name

PATTEN PETERMAN BEKKEDAHN & GREEN  
Firm name

2817 SECOND AVE N STE 300  
Number Street

BILLINGS MT 59101  
City State ZIP Code

\_\_\_\_\_  
Contact phone

APATTEN@PPBGLAW.COM  
Email address

\_\_\_\_\_  
Bar number State

IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MONTANA  
BILLINGS DIVISION

IN RE: **KC TRANSPORT, LLC**

CASE NO

CHAPTER 11

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date **01/24/2025**

Signature **/S/ KENNETH COLE WIRTH**  
Kenneth Cole Wirth, Authorized Signer



AXON DEVELOPMENT  
CORPORATION  
15 INNOVATION BLVD STE 210  
SASKATOON, SK S7N 2X8

BMO HARRIS BANK  
PO BOX 35707  
BILLINGS, MT 59107-5707

EAGLE COUNTRY FORD  
215 E MAIN ST  
SIDNEY, MT 59270

FORD MOTOR CREDIT  
COMPANY LLC  
PO BOX 105704  
ATLANTA, GA 30348-5704

FOUR SEASONS TOWING  
812 WHITE OAK DR SPRING CREEK  
SPRING CREEK, NV 89815

GM FINANCIAL  
PO BOX 183593  
ARLINGTON, TX 76096-3834

HUNT & SONS INC  
275 12TH STREET  
ELKO, NV 89801

INTERNAL REVENUE SERVICE  
P.O. BOX 7346  
PHILADELPHIA, PA 19101-7346

KC SANDCASTLE LLC  
101 10TH AVE  
SIDNEY, MT 59270

KELTZ F HALL  
PO BOX 662  
SIDNEY, MT 59270

LOEB TERM SOLUTIONS LLC  
8609 W BRYN MAWR STE 208  
CHICAGO, IL 60631

MONTANA DEPARTMENT OF  
REVENUE  
BANKRUPTCY SPECIALIST  
P.O. BOX 7701  
HELENA, MT 59604-7701

NAPA AUTO PART OF SIDNEY  
109 2ND AVE NE  
SIDNEY, MT 59270

NAPA AUTO PARTS - ELKO  
PO BOX 1425  
TWIN FALLS, ID 83303-1425

NEVADA DEPARTMENT OF  
EMPLOYMENT, TRAINING &  
REHABILITATION  
500 EAST THIRD ST  
CARSON CITY, NV 89713-0030

NORCO INC  
PO BOX 35144  
SEATTLE, WA 98124-5144



PACCAR FINANCIAL CORP  
1901 N ROSELLE RD STE 900  
SCHAUMBURG, IL 60195-3187

SAFETY FIRST TRAINING AND  
CONSULTING  
1031 RAILROD STE 103B  
ELKO, NV 89801

SEMI SERVICE INC  
4285 WEST 1385 SOUTH  
SALT LAKE CITY, UT 84104

STOCKMAN BANK OF  
MONTANA  
301 W HOLLY ST  
SIDNEY, MT 59270

UNEMPLOYMENT INSURANCE  
DIVISION  
CONTRIBUTIONS BUREAU  
PO BOX 6339  
HELENA, MT 59604-6339

UNITED HERITAGE LIFE  
INSURANCE  
PO BOX 35109  
SEATTLE, WA 98124-5109

VERDANT COMMERCIAL  
CAPITAL, LLC  
9987 CARVER RD STE 110  
CINCINNATI, OH 45242

WALLWORK FINANCIAL  
401 38TH ST SW  
FARGO, ND 58103

WESTERN TIRE  
1601 S CENTRAL AVE  
SIDNEY, MT 59270

YELLOWSTONE BANK  
120 2ND STREET NW  
SIDNEY, MT 59270

## RESOLUTION

COLE WIRTH and KELTZ HALL, the members of KC TRANSPORT, LLC, a Montana limited liability company, at a membership meeting conducted on January 20, 2025, adopted the following resolutions:

BE IT RESOVLED, that, as a consequence of the loss of a significant contract, KC TRANSPORT, LLC commence a case under chapter 11, Title 11; and

BE IT RESOLVED, the KC TRANSPORT, LLC, engage the firm of Patten, Peterman, Bekkedahl & Green, PLLC, as counsel for the chapter 11 case.

Adopted this 20<sup>th</sup> day of January, 2025.



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Cole Wirth, Member

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Keltz Hall, Member

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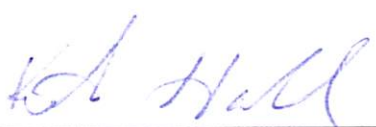
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